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In re Application of: Yoshimura et al. )  
Application No. 10/606,831 )  
Filed: June 27, 2003 ) **DECISION ON PETITION FOR AN**  
Atty Docket No.: 041465-5034-03 ) **OBJECTIVE EXAMINER**  
For: INFORMATION RECORD MEDIUM )  
AND APPARATUS FOR RECORDING )  
THE SAME )

This is a decision on the petition filed June 27, 2003 requesting assignment of the above noted continuation application to "an Objective Examiner." The petition is being considered under 37 CFR § 1.181 as a request to invoke supervisory authority. Petitioners base their request on remarks and comments the examiner made in Office communications in the parent application 08/820,254 (filing date March 18, 1997). The Office apologizes for the delay in responding to petitioners' request.

Applicants filed a preliminary amendment in the instant application on June 27, 2003 that canceled claims 1-4 and added new claims 5-19. The new claims are directed to an "information record medium," "recording apparatus," and "recording method" involving a video signal. The Office decides the proper assignment of every pending application based upon the U.S. Patent Classification System. Applicants' newly added claims have been reviewed and the Office has determined that based upon the claimed invention's utility, the proper assignment of the currently pending application is in a different class than the parent application's. As a result, the application has been transferred to a different art unit to handle the examination.

The petition is dismissed as **MOOT**. The application has been assigned to a new examiner based upon the claimed invention's utility.

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